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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/694,797
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		First Named Inventor	E. Castedo Ellerman
		Art Unit	2141
		Examiner Name	Tan Lien
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ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Statement Under 37 CFR 3.73(b) <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Request for Refund Remarks	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT			
Firm Name	BEVER, HOFFMAN & HARMS, LLP	Customer Number	24488
Signature			
Printed Name	Jeanette S. Harms		
Date	July 25, 2005	Reg. No.	35,537

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Signature			
Typed or printed name	Rebecca A. Baumann	Date	July 25, 2005

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Fees pursuant to the Consolidated Appropriations Act, 2005 (P.L. 109-171, R. 4818)

FEE TRANSMITTAL For FY 2005

Complete if Known

Application Number	09/694,797
Filing Date	10/20/2000
First Named Inventor	E. Castedo Ellerman
Examiner Name	Tan Lien
Art Unit	2141
Attorney Docket No	TEL-00-003-1P

☒ Applicant claims small entity status. See 37 C.F.R. § 1.27

TOTAL AMOUNT OF PAYMENT (\$) 250.00

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: **50-0574** Deposit Account Name: **Bever, Hoffman & Harms, LLP**

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	\$
Design	200	100	100	50	130	65	\$
Plant	200	100	300	150	160	80	\$
Reissue	300	150	500	250	600	300	\$
Provisional	200	100	0	0	0	100	\$

2. EXCESS CLAIM FEES

Fee Description

	Fee(\$)	Small Entity Fee(\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims Extra Claims Fee(\$) Fee Paid (\$) Multiple Dependent Claims
- 20 or HP = x = Fee(\$) Fee(\$)

HP = highest number of total claims paid for, if great than 20

Indep. Claims Extra Claims Fee(\$) Fee Paid (\$)
- 3 or HP = x =

HP = highest number of total claims paid for, if great than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 USC 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee(\$) Fee Paid (\$)
- 100 = 5- = (round up to a whole number) x =

4. OTHER FEE(S)

Non-English Specification - \$130 fee (no small entity discount)

Other: **APPEAL BRIEF**

Fee Paid (\$)

\$250.00

SUBMITTED BY

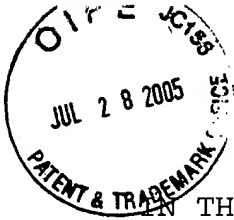
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Date: July 25, 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: E. Castedo Ellerman et al.
Assignee: Tellme Networks, Inc.
Title: METHOD AND APPARATUS FOR WEB-TO-PHONE ACCOUNT
LINKING
Serial No.: 09/694,797 File Date: October 20, 2000
Examiner: Tan Lien Art Unit: 2141
Docket No.: TEL-00-003-1P

July 25, 2005

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APPEAL BRIEF

This Appeal Brief, filed in triplicate, is in support of the
Notice of Appeal dated June 20, 2005.

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I. REAL PARTY IN INTEREST

The real party in interest is the assignee, Tellme Networks, Inc., pursuant to the Assignment recorded in the U.S. Patent and Trademark Office on January 22, 2001 on Reel 011505, Frame 0570.

II. RELATED APPEALS AND INTERFERENCES

Based on information and belief, there are no other appeals or interferences that could directly affect or be directly affected by or have a bearing on the decision by the Board of Patent Appeals in the pending appeal.

III. STATUS OF CLAIMS

Claims 1-17 are pending. Claims 1-17 stand rejected. In the present paper, rejected Claims 1-17 are appealed. Pending Claims 1-17 are listed in the Claims Appendix.

IV. STATUS OF AMENDMENTS

Claims 15-17 were amended in this application after a first Office Action. No claims were amended after the Final Office Action dated February 18, 2005.

V. SUMMARY OF CLAIMED SUBJECT MATTER

As described in the Summary of the Invention, page 5, lines 12-23:

A method and apparatus for linking a web based account to a phone based account is described. The method avoids the need to directly reveal account information, e.g. username/password, about one account to the provider of the other. The linking occurs on the web in one embodiment, with a user's browser being redirected from the web site to the web site of the provider of the voice service. The redirection URL will include account linking information. Once the user identifies herself to the web site of the provider of the voice service, the linking information can be stored in the user's phone account as a cookie.

When the user accesses the voice service over the phone, her telephone identifying information can be used to identify her profile. When she visits the phone application corresponding to the web site, the cookie—now including linking information—can be passed to the application to identify the appropriate web account.

As further taught in the Specification, page 8, lines 1-11:

embodiments of the invention allow applications provided by multiple legal entities ... to provide services to users via phone applications hosted on, or through, the voice portal while allowing state information to be stored on a per-user profile basis. Further, embodiments of the invention limit access by an application provided by a first legal entity to access the stored state information set by an application provided by a second legal entity. These features (1) protect user privacy by reducing the need to pass the telephone identifying information among different legal entities; (2) segregate the information a user provides to one legal entity from information provided to another legal entity, e.g. state information provided to [Company 1] does not get presented to [Company 2]

and vice-versa; and (3) provide for a uniform interface for application programmers to store state information in their voice portal applications.

Fig. 1 (shown below) illustrates an exemplary system that can provide personalized content to users of telephones according to telephone identifying information. This personalized content can include Internet based information from various entities over the telephone. Specification, page 11, lines 20-23.

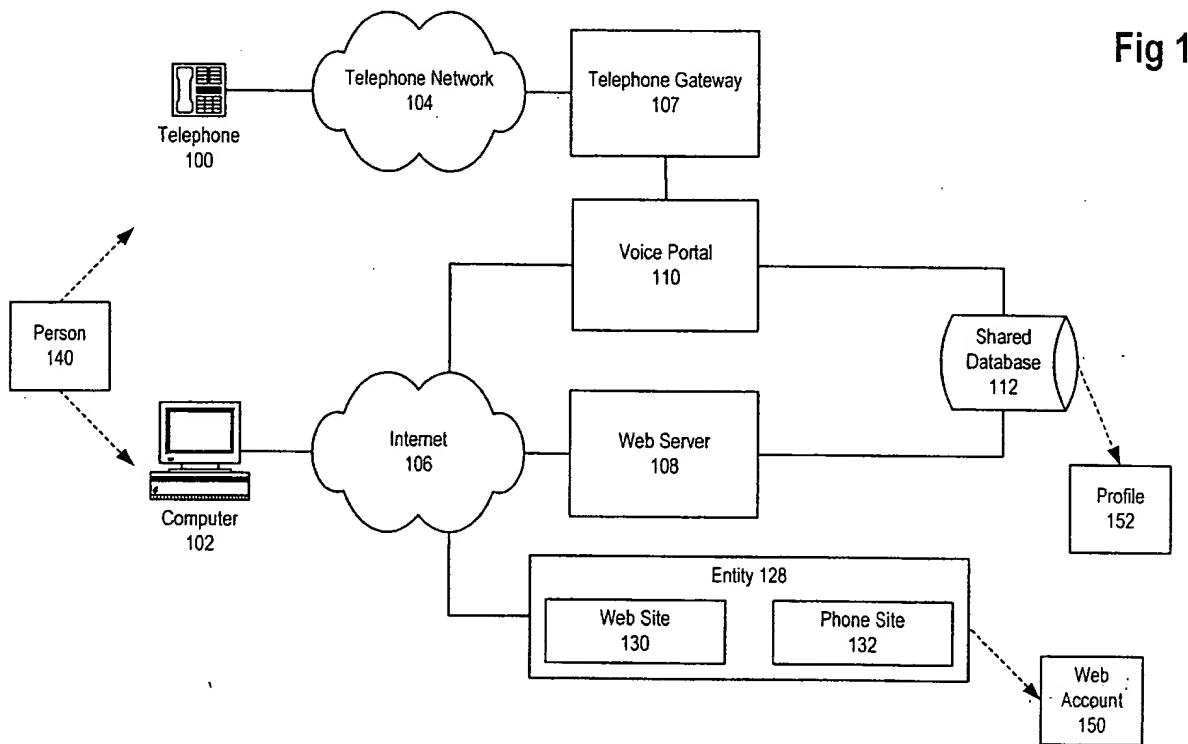


Figure 1 includes a telephone 100, a computer 102, a telephone network 104, the Internet 106, a telephone gateway 107, a web server 108, a voice portal 110, a shared database 112, and an entity 128. The entity 128 comprises a web site 130 and a phone site 132. A person 140 is shown using the telephone 100 and the computer 102. The entity 128 further includes a web account 150 (for the person 140). Similarly, the

shared database includes a profile 152 (for the person 140).

Specification, page 12, lines 2-7

Both the web server 108 and the voice portal 110 are capable of communicating with the shared database 112 to register users and build profiles, e.g. the profile 152 for the person 140. The database 112 stores profiles for each user based on an association between one or more pieces of telephone identifying information and a particular user. Thus, the database may have a profile for a user Sarah Smith that is keyed to her home telephone number, e.g. 650-493-####. Additionally, Sarah could associate other numbers, e.g. work, cellular, etc., with her profile either implicitly, e.g. by repeatedly calling the voice portal 110 from those numbers, or explicitly, e.g. by adding those numbers to the system directly.

The entity 128 most generally represents one or more individuals, businesses, legal entities, and/or other entities, that operate over the Internet 106, e.g. by providing a web site such as the web site 130. The operated web site 130 may be informational and/or commerce based. In this example, the entity 128 will be an online merchant that operates the web site 130 at the uniform resource locator (URL) <<http://www.onlinemerchant.com/>>. Consumers, such as the person 140, who visit the entity's web site to make purchases may create online accounts, e.g. the web account 150; frequently using a username-password style form of identification ... The entity 128 can establish its web site 130 and phone site 132 using one or more available computer systems and programs for supporting the same. According to some embodiments of the invention, the programs for the phone site 132 can be hosted on one or more standard hypertext transfer protocol (HTTP) servers for access by the voice portal 110 over the Internet 106.

Page 14, line 17 to page 15, line 6.

Linking a web based account (e.g. web account 150) to a phone account (e.g. profile 152) can begin with the person 140 navigating to the web site 130 with the computer 102. Specification, page 15, lines 14-15. One or more of the web pages presented on the display of the computer 102 may offer to "phone" enable the user's account. Specification, page 15, lines 15-17. For example, if the entity 128 is an online merchant, then a banner ad or text might invite the user to "Click here to phone enable your account for access from Tellme", "Want to place orders by phone? Click here to sign up.", etc. Specification, page 15, lines 17-19.

Assuming the user accepts the offer, the user's browser is redirected to another location (e.g. the web server 108 of the operator of the voice portal 110). Specification, page 16, lines 9-10. During this redirection, several arguments will be passed including: a linking code generated by the entity 128 to uniquely identify the web account 150 and a return URL that identifies what page on the web site 130 to send the user after the linking code is associated with the user's phone account. Specification, page 16, lines 18-23.

Note that if the web site 108 has already stored an identifying cookie with the user's web browser (e.g. on their computer 102), it may be unnecessary for the user to take any direct action to unlock their phone account. The user's web browser would visit the web new location, the cookie in the user's web browser would identify the user to the voice portal and the linking code could then be stored and the user sent back to the return URL without any user actions aside from the initial click. According to one preferred embodiment, the voice portal 110 (via its web server 108) stores one or more identifying cookies on the computer 102 of the person 140 to eliminate the need for a manual log in as part of step 230. This supports single

action (or "one click") account linking as users need only perform a single direct action, e.g. click their mouse, to link their web account to their phone account (this assumed that offers of step 200 are only presented to users logged into the web site 130).

Specification, page 17, lines 6-17.

When the user has successfully entered the information, the linking code can be stored in a cookie within the profile 152. Specification, page 17, lines 18-19. After the cookie is stored, the browser on the user's computer 102 can be redirected to the return URL provided, e.g. sent back to an appropriate location within the web site 130. Specification, page 17, lines 21-23. At this point, the user's web account for entity 128 is configured for access via the phone. Specification, page 17, lines 23-24.

Using the linked web account (e.g. the web account 150) from the voice portal 110 starts by a user calling the voice portal 110 with a telephone (e.g. the telephone 100). Specification, page 18, lines 2-3 and 9-10. After the voice portal 110 identifies the user, the user's profile (e.g. the profile 152) is unlocked. Specification, page 18, lines 12-13. In one embodiment, this identification can include using telephone identifying information. Specification, page 18, lines 14-17. Then, the user can access the phone site 132 of the entity 132, thereby causing the voice portal 110 to begin execution of one or more programs from the phone site 132. Specification, page 18, lines 18-20. The linking code can be transmitted to the entity 128 as a part of one or more standard HTTP requests. Specification, page 19, lines 1-2.

In one embodiment, the account linking approach can be extended to allow sharing of wallet information, or other

personal information, from a web site to the operator of a voice portal. Specification, page 19, lines 18-20.

Referring to Claim 1 and its dependent claims, the first, second, and third computers could refer to the computer 102, the web server 108, and the web site 130, respectively, of Fig. 1.

Referring to Claim 9 and its dependent claims, the first and second computers could refer to the web server 108 and the web site 130, respectively, of Fig. 1.

Referring to Claim 14, the apparatus, the first computer, and the third computer could refer to the voice portal 110/web server 108, the computer 102, and the web site 130, respectively, of Fig. 1.

Referring to Claim 15 and its dependent claims, the first and second computer could refer to the web server 108 and the web site 130, respectively, of Fig. 1.

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The following issues are presented to the Board of Appeals for decision:

- (A) Whether the objection to Claim 11 is improper.
- (B) Whether Claims 1-17 are patentable under 35 U.S.C. 112, first and second paragraphs.
- (C) Whether Claims 1-3, 5-6, 8-9, and 11-14 are patentable under 35 U.S.C. 103(a) over U.S. Patent 6,065,120 (Larsen) in view of U.S. Patent 6,701,366 (Kallas).
- (D) Whether Claim 4 is patentable under 35 U.S.C. 103(a) over Laursen in view of Kallas and further in view of Safari Tech Books Online Java 2 in 21 Days (Java2).

(E) Whether Claims 7 and 15-17 are patentable under 35 U.S.C. 103(a) over Laursen in view of Kallas and further in view of Google's "A Generalized Wallet Architecture" (Google).

(F) Whether Claim 10 is patentable under 35 U.S.C. 103(a) over Laursen in view of Kallas and further in view of Safari Tech Books Online "Using HTML 4, XML, and Java 1.2" (Safari).

VIII. ARGUMENTS

A. The objection to Claim 11 is improper

Applicants respectfully submit that the sentence in Claim 11 is complete. Claim 11 depends from Claim 9, which recites in part, "**automatically providing** a subset of the plurality of cookies to the application ... wherein the subset of the plurality of cookies includes **at least one cookie including a linking code**" (emphasis added). Claim 11 recites "further comprising automatically removing **the at least one cookie including the linking code** from the plurality of cookies after **the automatically providing**" (emphasis added). Thus, Claim 11 recites limitations introduced in Claim 9. Therefore, Applicants submit that the objection to Claim 11 is improper.

B. Claims 1-17 are patentable under 35 U.S.C. 112, first and second paragraphs

Claims 1-17 are rejected as failing to comply with the written description requirement. Specifically, the Office Action states that the recited first, second, and third computers are not described in the Specification. Claims 1-17 are also rejected as failing to comply with the enablement requirement. Specifically, the Office Action states that the

first, second, and third computers are incapable of communicating with each other. Claims 3 and 4 are rejected as failing to comply with the enablement requirement. Specifically, the Office Action states that the "single click" is an impossibility. Claims 1-17 are rejected as being indefinite. Specifically, the Office Action states that the recited first computer can be interpreted as a phone, a voice portal, a web server, or a mobile device with web capabilities, thereby making this term indefinite. Applicants traverse these 112 rejections.

The exemplary passages of the Specification indicated above in "V. SUMMARY OF CLAIMED SUBJECT MATTER" clearly teach the recited computers. Applicants note that the first, second, and third computers were also recited in the original claims, which form part of the Specification (e.g. see, MPEP 608.01(i)(a), "The specification must conclude with a claim particularly pointing out and distinctly claiming the subject matter" and MPEP 608.01(i)(d)(1), "The claim or claims must conform to the invention as set forth in the remainder of the specification."). Therefore, the first, second, and third computers are clearly described in the Specification.

Regarding the enablement requirement for Claims 1-17, the Office Action questions if the "first computer" is a plain old phone, how that phone could make a connection request to a "second computer" (which can be a web server or personal computer) without any adapter. Applicants believe that this question indicates a misunderstanding of what is being claimed. That is, Claims 1 and 14 refer to **linking** a web based account to a phone based account, whereas Claim 9 refers to **accessing** a web based account over a telephone interface and Claim 15 refers to **obtaining customer information** over a telephone interface. Applicants submit that as shown by the exemplary passages of the

Specification indicated above in "V. SUMMARY OF CLAIMED SUBJECT MATTER" the computers are capable of communicating with each other. Therefore, Claims 1-17 contain subject matter that was described in the Specification in such a way as to enable one skilled in the art to make and/or use the invention.

Regarding the enablement requirement for Claims 3 and 4, the Specification, e.g. exemplary passages indicated above in "V. SUMMARY OF CLAIMED SUBJECT MATTER", clearly teach the single click limitation. For example, see the passage quoted from the Specification, page 17, lines 6-17. Therefore, Claims 3 and 4 contain subject matter that was described in the Specification in such a way as to enable one skilled in the art to make and/or use the invention.

Regarding Claims 1-17 as being indefinite, the Specification teaches at page 13, line 21 to page 14, line 3:

The computer 102 is a computer such as a personal computer, a thin client computer, a server computer, a handheld computer, a set top box computer, and/or some other type of visual web browsing device. The computer 102 is coupled in communication with the Internet 106, e.g. by a dial-up connection, a digital subscriber loop (DSL), a cable modem, and/or some other type of connection. This allows the computer 102 to communicate with the web server 108. The computer 102 typically provides a visual interface to the WWW and the web server 108 using web browsing software such as Internet Explorer(TM) from Microsoft Corporation, Redmond, Washington.

The Specification also teaches at page 13, lines 11-20:

The telephone network 104 may be the public switched telephone network (PSTN) and/or some other type of telephone network. For example, some embodiments of the invention may allow users with a voice over Internet Protocol (IP) phone to access the voice portal 110. In the case of voice over IP (VoIP) access, the telephone identifying information may include any information included

with the session setup, e.g. IP addresses, header fields, initiator's e-mail address, etc. The telephone network 104 is coupled to the telephone gateway 107 that allows the voice communications and/or touch-tone signals from the telephone network 104 to reach the voice portal 110 in usable form. Similarly, the telephone gateway 107 allows audio signals generated by the voice portal 110 to be sent over the telephone network 104 to respective telephones, e.g. the telephone 100. The telephone network 104 generally represents an audio signal carrying network.

Thus, the Specification teaches exemplary devices that those skilled in the art would recognize as being "computers". The fact that various devices could be characterized as "computers" does not affect the definiteness of the claims. Therefore, Applicants submit that Claims 1-17 are definite and particularly point out and distinctly claim the subject matter that Applicants regard as the invention.

Based on the above remarks, Applicants submit that Claims 1-17 comply with the requirements of 112, first and second paragraphs.

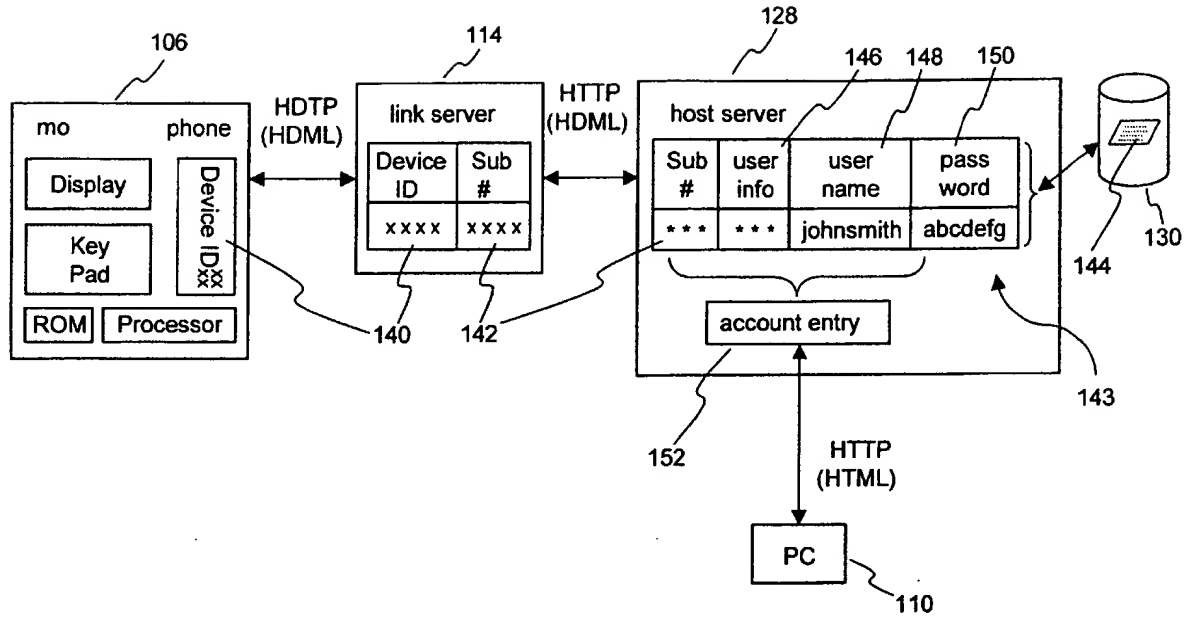
C. Claims 1-3, 5-6, 8-9, and 11-14 are patentable under 35 U.S.C. 103(a) over U.S. Patent 6,065,120 (Laursen) in view of U.S. Patent 6,701,366 (Kallas)

1. Laursen: Overview

Fig. 2.b of Laursen (shown above) illustrates a layout of a typical user account assigned with a mobile phone 106. Col. 7, lines 51-53. Each mobile phone is assigned to a device ID 140, which can be a phone number or a combination of an IP address and a port number. Col. 7, lines 53-55. The device ID 140 is further associated with a subscriber number 142 authorized by a carrier in the link server 114 as part of the procedures to

activate the phone 106. Col. 7, lines 57-60. A corresponding account 144 in the database 130 is indexed by an account structure 143 comprising the subscriber number 142, user information 146, a user name 148, and a password 150. Col. 8, lines 4-7. As described below, the user name 148 and the password 150 control the authentication to enter the account 144 in the database 130. Col. 8, lines 10-12.

From a data network perspective, a computer 110 can log on to a rendezvous 152 using a URL. Col. 8, lines 12-15. According to Laursen, each account in the database 130 is exclusively associated with a rendezvous identified by a unique URL. Col. 8, lines 15-17. To access the associated account 144 in the database 130, the PC 110 must provide a correct user name and password to the rendezvous 152. Col. 8, lines 20-26. If access is allowed, then the PC 110 can update information stored in the account 144. Col. 8, lines 27-28. For example, using the PC 110, frequently requested information, e.g. a list of stock symbols and a list of URLs of Web servers that provide services to the phone 106, can be keyed in. Col. 8, lines 30-32.

**Fig. 2.b**

2. Kallas: Overview

Figure 10 of Kallas (shown below) illustrates a server system 600 and a client system 601 including, respectively, telephony applications 606 and 608 for handling telephony sessions over networks 21 and/or 12. Col. 11, lines 60-61 and col. 11, line 67 to col. 12, line 3. Notably, client system 601 can store telephony cookies 610, which may have been created in telephony sessions established between the client system 601 and other terminals. Col. 12, lines 3-6. These telephony cookies can be used in future transactions with the telephony server system 600 or other terminals. Col. 12, lines 10-13.

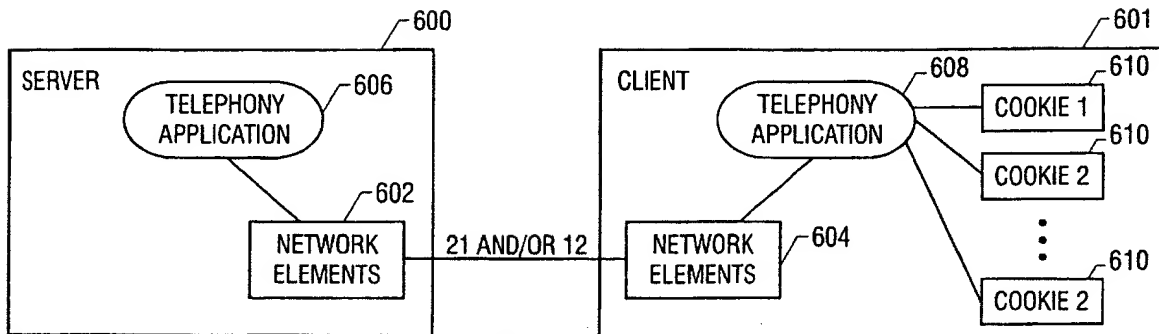


FIG. 10

3. Applicants' limitations recited in Claims 1-3, 5-6, 8-9, and 11-14 are not taught by Laursen and Kallas.

Claim 1 recites:

A method of linking a web based account to a phone based account over the world wide web (WWW), the method comprising:

receiving a connection request from a first computer on a second computer, the connection request formatted as a uniform resource locator (URL), the URL further specifying a linking code and a return location, the linking code corresponding to an identifier provided by a third computer to the first computer and identifying the web based account on the third computer;

responsive to one or more messages between the first computer and the second computer, identifying the phone based account; and

storing the linking code in the phone based account as a cookie.

Applicants respectfully submit that Laursen fails to disclose or suggest the web based account and the phone based account recited in Claim 1. The distinction between these accounts is critical to understanding the applicability and advantages associated with Applicants' invention.

Specifically, as described in "V. SUMMARY OF CLAIMED SUBJECT MATTER", Applicants can efficiently link a web based account to a phone based account. Advantageously, this linking avoids the need

to directly reveal account information, e.g. username/password, about one account to the provider of the other. The linking occurs on the web with a user's browser being redirected from the web site to the web site of the provider of the voice service. The redirection URL will include account-linking information. Once the user identifies herself to the web site of the provider of the voice service, the linking information can be stored in the user's phone account as a cookie. When the user accesses the voice service over the phone, her telephone identifying information can be used to identify her profile. When she visits the phone application corresponding to the web site, the cookie – now including linking information – can be passed to the application to identify the appropriate web account.

Laursen fails to disclose or suggest separate web based and phone based accounts much less the advantages of linking such accounts. As taught in Laursen, a user can access the personalized information in an account by using either her mobile phone (i.e. the first device, which has a very limited computing power) or a PC (i.e. one of the other devices, which has a rich user interface). See, for example, col. 2, lines 53-57 and col. 3, lines 11-17. Note that Laursen explicitly teaches that "user account" and "database" are used interchangeably in the description when only one account is being addressed. Col. 7, lines 38-40. Laursen further teaches that database 130 (Fig. 2.b) can host a plurality of user accounts, each designated to an authorized capacity in which managed or personalized information is kept. Col. 7, lines 40-44.

The Office Action erroneously characterizes the device ID stored in the link server 114 as the phone based account and the user name/password in the host server 128 as the web based account. These characterizations are contrary to the

terminology used by Laursen (see previous paragraph) and Applicants. Moreover, these characterizations are not consistent with other limitations in the claims.

For example, if the user name/password is the web based account, then the web based account cannot be on the third computer (i.e. the Office Action characterizes the host server 128 as being the second computer and the PC 110 as being the third computer). As another example, if the device ID is the phone based account, then the linking code cannot be stored in the phone based account (i.e. the Office Action characterizes the device ID and subscriber # as being the linking code and therefore is somehow stored within a subset of itself). Moreover, as claimed, the linking code corresponds to an identifier provided by the third computer to the first computer. Therefore, according to the above characterizations in the Office Action, the PC 110 would have to provide the mobile phone 106 with the device ID and subscriber #, which is not taught by Laursen.

Additionally, the URL recited in Claim 1 is received from the first computer on the second computer. According to the Office Action, which characterizes the mobile phone 106 as the first computer, this would mean that the host server 128 receives the URL from the mobile phone 106. Laursen instead teaches that the host server 128 can receive a connection request in the form of a URL from PC 110.

Therefore, Applicants traverse the above characterizations of Laursen.

Kallas is characterized as disclosing the use of a telephony cookie to store an account name and password. However, Kallas notably fails to disclose or suggest storing the **linking code** (which identifies the web based account) in the phone based account as a cookie. Thus, even if Laursen and Kallas can be combined

(which is arguable), Applicants' invention is neither disclosed nor suggested.

Because Laursen and Kallas, either individually or in combination, fail to disclose or suggest Applicants' recited method of Claim 1, Applicants submit that Claim 1 is patentable over these cited references.

Claims 2-3, 5-6, and 8 depend from Claim 1 and therefore are patentable for at least the reasons presented for Claim 1.

Moreover, Claim 2 recites in part, "the method further comprising sending a message from the second computer to the first computer, the message instructing the first computer to send a connection request to a computer identified by the URL in the return location." According to the characterizations of Laursen in the Office Action, the host server 128 would send a message to the mobile phone 106 instructing the mobile phone 106 to send a connection request to a computer identified by the URL. Laursen fails to disclose or suggest this limitation. The Office Action indicates that Laursen discloses in col. 14, lines 11-12 that a "user sends an activation request from the client, the user has to get a URL from the service provider in return in order for the user to go to the login screen ... to personalize one's web settings". This passage has nothing to do with a client (which is separate from the user) or a service provider. Fig. 4 of Laursen confirms the characterization in the Office Action is incorrect. As shown in Fig. 4, a session request 174 is provided by a client 170 (i.e. mobile phone 106, characterized as the first computer in the Office Action) to a server 172 (i.e. link server 114, possibly characterized as the second computer in the Office Action). Thus, the session request is initiated by client 170. Therefore, based on the above remarks, Claim 2 is further patentable over Laursen and Kallas.

Moreover, Claim 3 recites in part, "wherein the method occurs entirely in response to a single action". The Office Action cites col. 3, lines 25-27 of Laursen as disclosing this limitation. Applicants traverse this characterization. In fact, this passage merely teaches "initiating a transaction signal by the thin device to the server, the thin device having a client identification associated with the user account in the server". Therefore, Claim 3 is further patentable over Laursen and Kallas.

Moreover, Claim 8 recites in part, "wherein the return location comprises a URL and the cookie is stored in the phone based account with a predetermined name, the value of the linking code and the domain of the return location". The Office Action indicates that the predetermined name is the name used by the web account. As indicated in Fig. 6 of Laursen, this is the username "marylee". The Office Action then erroneously characterizes the value of the linking code as "marylee". Therefore, Claim 8 is further patentable over Laursen and Kallas.

Claim 9 recites:

A method of accessing a web based account over a telephone interface using telephone identifying information and a first computer, the method comprising:

- identifying a phone account using the first computer and the telephone identifying information;

- selecting a state associated with the phone account using the first computer, the state comprising a plurality of cookies; and

- automatically providing a subset of the plurality of cookies to the application using the first computer, the providing responsive to receiving a request over the telephone interface to initiate an application on a second computer, wherein the subset of the plurality of cookies includes at least one cookie including a linking code, the linking code identifying a web account to the second computer.

Applicants submit that Laursen and Kallas fail to disclose or suggest the state associated with the phone account and the linking code identifying the web account. The Office Action characterizes the user name 148 and password 150 as the "state", the device ID 140 as the "phone account", and user credential information as the "linking code". Applicants traverse this characterization. Specifically, Laursen teaches that such user credential information is in fact the user name and password. Col. 14, lines 9-28. Therefore, the Office Action fails to distinguish between the recited state and linking code.

As recited in Claim 9, the state comprises a plurality of cookies associated with the phone account. During the step of automatically providing, only a subset of the plurality of cookies is used, wherein that subset includes at least one cookie including a linking code. That linking code identifies the web account to the second computer. Because both Laursen and Kallas fail to disclose or suggest the state associated with the phone account and the linking code identifying the web account, Applicants submit that Claim 9 is patentable over these references.

Claims 11-13 depend from Claim 9 and therefore are patentable for at least the reasons presented for Claim 9.

Moreover, Claim 11 recites in part, "further comprising automatically removing the at least one cookie including the linking code from the plurality of cookies after the automatically providing". The Office Action impermissibly ignores the limitation regarding the cookie including the linking code (which identifies a web account to the second computer). Therefore, Claim 11 is further patentable over Laursen and Kallas.

Moreover, Claim 12 recites in part, "wherein responsive to receiving the at least one cookie including the linking code, the application capable of accessing information associated with the related web account". The Office Action erroneously characterizes

a phone account and a web account as being in account entry 152. Therefore, Claim 12 is further patentable over Laursen and Kallas.

Claim 14 recites:

An apparatus for linking a web based account to a phone based account over the world wide web (WWW), the apparatus comprising:

means for receiving a connection request from a first computer, the connection request formatted as a uniform resource locator (URL), the URL further specifying a linking code and a return location, the linking code corresponding to an identifier provided by a third computer to the first computer and identifying the web based account on the third computer;

means for communicating with the first computer to identify the phone based account; and

means for storing the linking code in the phone based account as a cookie.

The Office Action indicates that the phone 106 is characterized as the first computer, and either server 1 or server 2 (see Fig. 2.a) is characterized as the third computer. However, the connection request from phone 106 is not formatted as a URL. Moreover, the URL taught by Laursen teaches nothing about specifying a linking code and a return location, wherein the linking code corresponds to an identifier provided by the third computer to the first computer and identifying the web based account on the third computer. Laursen also teaches nothing regarding the means for communicating with the first computer to identify the phone based account or the means for storing the linking code in the phone based account. Kallas fails to remedy the deficiencies of Laursen with respect to Claim 14.

Because Laursen and Kallas fail to disclose or suggest numerous limitations of Claim 14, Applicants submit that Claim 14 is patentable over these references.

D. Claim 4 is patentable under 35 U.S.C. 103(a) over Laursen in view of Kallas and further in view of Safari Tech Books Online Java 2 in 21 Days (Java2).

1. Laursen and Kallas: Overview (see Section C)

2. Java2: Overview

Java2 teaches, among other subjects, how to handle mouse clicks.

3. Applicants' limitations recited in Claim 4 are not taught by Laursen, Kallas, and Java2.

Claim 4 depends from Claim 1 and therefore is patentable for at least the reasons presented for Claim 1. Notably, Java2 fails to remedy the deficiency of Laursen and Kallas with respect to Claim 1.

Claim 4 recites in part, "wherein the single action comprises a mouse click". Nothing in Laursen or Kallas teaches this limitation. Java2 fails to remedy this deficiency as well. Therefore, Applicants submit that Claim 4 is further patentable over Laursen, Kallas, and Java2.

E. Claims 7 and 15-17 are patentable under 35 U.S.C. 103(a) over Laursen in view of Kallas and further in view of Google's "A Generalized Wallet Architecture" (Google).

1. Laursen and Kallas: Overview (see Section C)

2. Google: Overview

Google teaches a generalized wallet architecture.

3. Applicants' limitations recited in Claims 7 and 15-17 are not taught by Laursen, Kallas, and Google.

Claim 7 depends from Claim 1 and therefore is patentable for at least the reasons presented for Claim 1. Notably, Google fails to remedy the deficiency of Laursen and Kallas with respect to Claim 1.

Moreover, Claim 7 recites in part:

wherein the URL formatted in the connection request further includes a wallet indicator, the wallet indicator provided by the third computer and indicating that the third computer will share commerce related information relating to the web account with the second computer.

Laursen, Kallas, and Google each individually fail to teach that a URL can include a wallet indicator. Applicants note that Laursen fails to teach anything on allowing consumers to easily pay for goods and services electronically. Because no suggestion for electronic commerce is provided in Laursen, combining this reference with Kallas and Google is clearly hindsight. Therefore, Applicants submit that Claim 7 is further patentable.

Claim 15 recites:

A method of obtaining a customer information over a telephone interface using telephone identifying information and a first computer, the method comprising:

identifying a phone account using the first computer and the telephone identifying information;

selecting a state associated with the phone account using the first computer, the state comprising a plurality of cookies;

selecting at least one of the plurality of cookies comprising a wallet indicator, the wallet indicator comprising an URL for obtaining customer information in a web account from a second computer; and

using the URL to obtain the customer information from the second computer.

Laursen, Kallas, and Google, individually or in combination, fail to teach that a cookie can include a wallet indicator. Additionally, Laursen, Kallas, and Google, individually or in combination, also fail to teach that the wallet indicator can include a URL. Applicants note that Laursen fails to teach anything on allowing consumers to easily pay for goods and services electronically. Because no suggestion for electronic commerce is provided in Laursen, combining this reference with Kallas and Google is clearly hindsight. Based on these reasons, Applicants submit that Claim 15 is patentable.

Applicants note that the Office Action fails to indicate a rejection of Claims 16 and 17 based on the cited references. Applicants assume that Claims 16 and 17 are further rejected because of their dependency from Claim 15 and respond accordingly herein.

Claims 16-17 depend from Claim 15 and therefore are patentable for at least the reasons presented for Claim 15.

Moreover, Claim 16 recites in part:

wherein responsive to the using, a predetermined amount is paid by the operator of the first computer to the operator of the second computer.

Applicants submit that Laursen, Kallas, and Google, either individually or in combination, fail to disclose or suggest this limitation. Therefore, Applicants submit that Claim 16 is further patentable over the cited references.

Moreover, Claim 17 recites in part:

wherein there is at least one of the plurality of cookies comprising a linking code and wherein the using further comprises sending a hypertext transfer protocol (HTTP) request to the URL that

includes the linking code and receiving back the customer information.

Applicants submit that Laursen, Kallas, and Google, either individually or in combination, fail to disclose or suggest this limitation. Therefore, Applicants submit that Claim 17 is further patentable over the cited references.

F. Claim 10 is patentable under 35 U.S.C. 103(a) over Laursen in view of Kallas and further in view of Safari Tech Books Online "Using HTML 4, XML, and Java 1.2" (Safari).

1. Laursen and Kallas: Overview (see Section C)

2. Safari: Overview

Safari teaches using SSL protocol to provide data encryption and ensure security.

3. Applicants' limitations recited in Claim 10 are not taught by Laursen, Kallas, and Safari.

Claim 10 depends from Claim 9 and therefore is patentable for at least the reasons presented for Claim 9. Notably, Safari fails to remedy the deficiency of Laursen and Kallas with respect to Claim 9.

C. CONCLUSION

For the foregoing reasons, it is submitted that the Examiner's rejections of Claims 1-17 are erroneous, and reversal of these rejections is respectfully requested.

Respectfully submitted,



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7/25/2005
Date

Rebecca A. Baumann
Signature: Rebecca A. Baumann

VIII. CLAIMS APPENDIX

1. (Original) A method of linking a web based account to a phone based account over the world wide web (WWW), the method comprising:

receiving a connection request from a first computer on a second computer, the connection request formatted as a uniform resource locator (URL), the URL further specifying a linking code and a return location, the linking code corresponding to an identifier provided by a third computer to the first computer and identifying the web based account on the third computer;

responsive to one or more messages between the first computer and the second computer, identifying the phone based account; and

storing the linking code in the phone based account as a cookie.

2. (Original) The method of claim 1, wherein the return location comprises a URL, the method further comprising sending a message from the second computer to the first computer, the message instructing the first computer to send a connection request to a computer identified by the URL in the return location.

3. (Original) The method of claim 1, wherein the method occurs entirely in response to a single action.

4. (Original) The method of claim 3, wherein the single action comprises a mouse click.

5. (Original) The method of claim 1, wherein the first computer comprises a computer operated by an individual and the

second computer operated by a legal entity that supports access to the phone based account for the individual via a telephone interface.

6. (Original) The method of claim 1, wherein the second computer and third computer are operated by different legal entities.

7. (Original) The method of claim 1, wherein the URL formatted in the connection request further includes a wallet indicator, the wallet indicator provided by the third computer and indicating that the third computer will share commerce related information relating to the web account with the second computer.

8. (Original) The method of claim 1, wherein the return location comprises a URL and the cookie is stored in the phone based account with a predetermined name, the value of the linking code and the domain of the return location.

9. (Original) A method of accessing a web based account over a telephone interface using telephone identifying information and a first computer, the method comprising:

identifying a phone account using the first computer and the telephone identifying information;

selecting a state associated with the phone account using the first computer, the state comprising a plurality of cookies; and

automatically providing a subset of the plurality of cookies to the application using the first computer, the providing responsive to receiving a request over the telephone interface to initiate an application on a second computer,

wherein the subset of the plurality of cookies includes at least one cookie including a linking code, the linking code identifying a web account to the second computer.

10. (Original) The method of claim 9, wherein the automatically providing occurs over a communication channel encrypted according to one or more of a secure sockets layer (SSL) protocol and a transport layer security (TLS) protocol.

11. (Original) The method of claim 9, further comprising automatically removing the at least one cookie including the linking code from the plurality of cookies after the automatically providing.

12. (Original) The method of claim 9, wherein responsive to receiving the at least one cookie including the linking code, the application capable of accessing information associated with the related web account.

13. (Original) The method of claim 9, wherein subsequent to receiving the at least one cookie including the linking code, the application receives a string, the string corresponding to single key DTMF sequence of a password for the related web account, and wherein the application capable of accessing information associated with the related web account using the string.

14. (Original) An apparatus for linking a web based account to a phone based account over the world wide web (WWW), the apparatus comprising:

means for receiving a connection request from a first computer, the connection request formatted as a uniform resource

locator (URL), the URL further specifying a linking code and a return location, the linking code corresponding to an identifier provided by a third computer to the first computer and identifying the web based account on the third computer;

means for communicating with the first computer to identify the phone based account; and

means for storing the linking code in the phone based account as a cookie.

15. (Previously Presented) A method of obtaining a customer information over a telephone interface using telephone identifying information and a first computer, the method comprising:

identifying a phone account using the first computer and the telephone identifying information;

selecting a state associated with the phone account using the first computer, the state comprising a plurality of cookies;

selecting at least one of the plurality of cookies comprising a wallet indicator, the wallet indicator comprising an URL for obtaining customer information in a web account from a second computer; and

using the URL to obtain the customer information from the second computer.

16. (Previously Presented) The method of claim 15, wherein responsive to using the URL, a predetermined amount is paid by the operator of the first computer to the operator of the second computer.

17. (Previously Presented) The method of claim 15, wherein there is at least one of the plurality of cookies comprising a linking code and wherein using the URL further comprises sending

a hypertext transfer protocol (HTTP) request to the URL that includes the linking code and receiving back the customer information.

IX. EVIDENCE APPENDIX

None

X. RELATED PROCEEDINGS APPENDIX

None